

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

The Placer County Board of Supervisors met in a regular session at 9:00 a.m., Tuesday, February 21, 2006, in the County Administrative Center, 175 Fulweiler Avenue, Auburn. Supervisors Santucci, Weygandt, Holmes, Gaines and Kranz present. Chairman Santucci presiding; Ann Holman, Clerk of the Board. Also present were County Executive Thomas Miller and County Counsel Anthony J. La Bouff.

PUBLIC COMMENT – Bonnie McAdams, representing the Boys & Girls Club of Auburn, provided an update and thanked the Board and Placer County for its support. Mechelle Buhon, Friends of the Animals, spoke about conditions at the Auburn Shelter. Michael Murphy, Libertarian Party, spoke about Board member endorsements. Rosemary Frieborn, Friends of Placer County Animal Shelter, requested an update of Animal Services. Thomas Colliver discussed his concerns about Foresthill.

SUPERVISOR'S COMMITTEE REPORTS – Supervisor Kranz attended the North Lake Tahoe Resort Association Annual Awards where Placer County was recognized for 10 years of assistance and for redevelopment efforts. Supervisor Holmes and Chairman Santucci discussed the trip they took to Washington DC with Supervisor Weygandt and Thomas Miller, County Executive.

CONSENT AGENDA: Items 7, 10a, 10c, 14, 15a and 15b were moved for discussion. Consent agenda approved as amended with action as indicated. The Board convened as the Redevelopment Agency Board for Item #14. **MOTION** Holmes/Santucci/Unanimous

1. ORDINANCES – Second reading:

- a. County Executive Office - Ordinance 5397-B adopted amending Chapter 3, Section 3.12.030, Unclassified Service, Schedule of Classifications, Salary Plan and Grade Unclassified Service, relating to the Auditor-Controller Department, Managing Accountant Auditor positions.
- b. County Executive/Emergency Services - Ordinance 5398-B adopted amending Chapter 2, Articles 2.16 and 2.88 to reflect (1) the County Executive Officer as the Director of Emergency Services, (2) the County Executive Officer as the Chairman of the Disaster Council, (3) granting the Board authority to appoint other members of the Disaster Council, and (4) amending Chapter 3, Article 3.08, using the term "Emergency Services" in lieu of "Civil Defense."
- c. Personnel - Ordinance 5399-B adopted amending Chapter 3, Section 3.12.010, Appendices DSAS-3, DSAN-4, and MGTS-9, relating to the salaries for the classifications covered by Proposition F and other associated law enforcement classifications, effective February 03, 2006, 5:01 p.m.

2. WARRANT REGISTERS – Weeks ending January 6, 13, 20, 27 and February 3, 2006.

3. AUDITOR/CONTROLLER:

- a. Resolution 2006-32 adopted approving removal of fixed assets from the County's Financial Records based on annual inventories submitted by County departments.
- b. Resolution 2006-33 adopted approving a discharge from accountability for the collection of seven (7) delinquent accounts from the Agriculture Department that are no longer collectible by Revenue Services totaling \$3,420.

4. BOARD OF SUPERVISORS - Approved minutes of January 10 and 24, 2006.

5. CLAIMS AGAINST THE COUNTY – Rejected the following claim as recommended by County Counsel:

- a. 05-100, Michlmayr, Manfred, \$7,500 (Property Damage).

6. CLAIMS AGAINST THE COUNTY – Denied the following Application for Leave to Present a Late Claim as recommended by County Counsel:

- a. 05-142, Armstrong, Gordon, \$50,000 (Bodily Injury).

7. MOVED FOR DISCUSSION/COUNTY EXECUTIVE/FORESTHILL FORUM ADVISORY COUNCIL – Declare Seats #1, #3 and #7 vacant and direct the Clerk of the Board to post vacancies.

8. COUNTY CLERK/ELECTIONS – Resolution 2006-34 adopted authorizing the County Clerk to render election services for elections to be held June 6, 2006.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

9. FACILITY SERVICES:

- a. Agreement - Approved Amendment #2 with the North Tahoe Public Utility District removing the Kings Beach Community Health Clinic in the North Tahoe area from the maintenance services agreement and authorizing the Facility Services Director to execute.
- b. Historic Courthouse Fire Alarm System, Project #4754 - Accepted a progress report and approved continuation of the project, pursuant to Section 22050 of the Public Contract Code and Section 1.3 (m) of the Purchasing Policy Manual.
- c. Sewer Maintenance District #1 - Resolution 2006-35 adopted authorizing acknowledgement of payment and release of lien for property owned by Georgia L. Maben, APN 076-051-006 and authorized the Facility Services Director to release the lien.

10. HEALTH & HUMAN SERVICES:

- a. **MOVED FOR DISCUSSION**/Adult System of Care - Amend Contract #005436 with Pinecrest Lodge, in the amount of \$30,686, for a revised aggregate contract total of \$78,818, to modify the rate for services and increase funding available for activity conducted during the remaining 18 months of the agreement for the board and care facility, and authorize the Health & Human Services Director to sign.
- b. Community Health - Amended the Inter-Jurisdictional Agreement #02-25983 A2 with the State Department of Health Services Women, Infants, and Children (WIC), Supplemental Nutrition Program Branch, changing the hourly reimbursement rate for Jacqueline A. Kampp, PHN. The position is fully funded by State and Federal funding.
- c. **MOVED FOR DISCUSSION**/Environmental Health - Approve a contract with the Town of Loomis, from July 1, 2005 through June 30, 2008, for the provision of animal control services, and authorize the Health & Human Services Director to execute subsequent amendments.
- d. Human Services - Approved a budget revision, in the amount of \$8,900, for the purchase of a Dell Server and three-year quick response maintenance, and approved the addition of the server to the Master Fixed Asset List.

11. PLANNING/PENRYN 76 SIGN PERMIT (PSIN20040783) - Approved findings supporting Board action overturning the Planning Commission's denial of a sign permit and approving such permit to allow for red fascias on the pump island canopies.

12. PROCUREMENT SERVICES - Authorized the Purchasing Manager to sign the following:

- a. Bid #9288, HVAC Units/Facility Services - Renewed bid with Valair, Inc., in the amount of \$85,000, on an as-needed basis.
- b. Change Order, Furniture/Various Departments - Approved Change Order #1 to Blanket Purchase Order #12462, with Jacobs Office Interiors, extending the expiration date through February 28, 2006, in the amount of \$27,000.
- c. Purchase Order, Maintenance & Support, Permit Tracking System/Various Departments - Approved purchase order with Accela, Inc., in the amount of \$87,879.17, for Land Development purposes.

13. PUBLIC WORKS:

- a. Agreement - Resolution 2006-36 adopted authorizing the Chairman to sign Professional Services Agreement #73225 with the Regents of the University of California, in the amount of \$87,625, for post construction analysis of the County's Upper Cutthroat Erosion Control Project, located on the north shore of Lake Tahoe.
- b. Asphalt Concrete Overlay, Summer 2005 Project, Contract #73213 - Resolution 2006-37 adopted approving and authorizing the Public Works Director to execute the Notice of Completion.
- c. Lake Forest Erosion Control Project Area "A", Dollar Point - Resolution 2006-38 adopted approving a Mitigated Negative Declaration (PEAQ T20050974) with the required findings for the project.
- d. Tahoe Estates Erosion Control Project - Resolution 2006-39 adopted approving a Mitigated Negative Declaration (PEAQ T20050978) with the required findings for the project.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

- e. Transit – Authorized the Chairman and Public Works Director to execute an agreement with Sacramento Regional Transit to provide Section 3037 Federal Transit Administration (FTA) Grant Funds for Job Access Transit Services and Resolution 2006-40 adopted authorizing the Director of Public Works to approve allocations of FTA Section 3037 Jobs Access Reverse Commute Funds for the Tahoe Area Regional Transit and Placer County Transit.
 - f. Transit - Authorized the Chairman and Public Works Director to execute a Memorandum of Understanding with the Truckee-North Tahoe Transportation Management Association for transit service between Truckee and Tahoe City during the winter of 2005/2006.
14. ITEM MOVED FOR DISCUSSION/REDEVELOPMENT AGENCY BOARD – Resolution approving the Placer County Purchasing Policy Manual for Redevelopment Agency procurement activities and authorizing the County Procurement Manager to sign contracts as appropriate.
15. REVENUE SHARING:
- a. MOVED FOR DISCUSSION/Approve appropriation of \$150 in Revenue Sharing monies to the Oakmont High School for the 2006 Sober Grad Night, as requested by Supervisor Santucci.
 - b. MOVED FOR DISCUSSION/Approve appropriation of \$2,700 in Revenue Sharing monies to the Lazarus Project for the 6th Annual St. Patrick's Day Dinner fundraiser event, as requested by Supervisors Santucci (\$200), Weygandt (\$250), Holmes (\$250) and Gaines (\$2,000).
16. SHERIFF – Approved out-of-country travel for Sgt. Robert McDonald to attend the Oxford Round Table for Criminal Law and Justice held in Mansfield, England, from March 26, 2006 through March 31, 2006; and approved a maximum of \$400 reimbursement and paid time to attend the event.

End of Consent Agenda

The following items were moved for discussion:

- 10a. HEALTH & HUMAN SERVICES/ADULT SYSTEM OF CARE – Amended Contract #005436 with Pincrest Lodge, in the amount of \$30,686, for a revised aggregate contract total of \$78,818, to modify the rate for services and increase funding available for activity conducted during the remaining 18 months of the agreement for the board and care facility, and authorized the Health & Human Services Director to sign. MOTION Holmes/Weygandt/Unanimous

Michael Murphy, Libertarian Party, opposed the increase in socialist spending in Placer County and asked if the State government mandated it.

Maureen Bauman, Director of Adult System of Care, explained that board and care facilities are licensed by the State and used for people that cannot live independently. Due to high housing costs, Placer County is forced to use facilities in Sacramento. This increase would cover transportation costs for facilities to transport the people to programs at Cirby Hills.

- 10c. HEALTH & HUMAN SERVICES/ENVIRONMENTAL HEALTH - Approved a contract with the Town of Loomis, from July 1, 2005 through June 30, 2008, for the provision of animal control services, and authorized the Health & Human Services Director to execute subsequent amendments. MOTION Holmes/Weygandt/Unanimous

Rosemary Frieborn, Friends of Placer County Animal Shelters, asked what was the amount of the contract. Bob Dunstan, Administrative Services Director, Health and Human Services, responded the contract would be phased in; this year it would bring \$12,652. Once phased in the amount would be \$21,086. Ms. Frieborn asked about the number of service calls, number of animals picked up, and the provisions for the officer's vacation and sick leave. Chairman Santucci said those questions would be answered after the meeting.

14. REDEVELOPMENT AGENCY BOARD – Resolution 2006-41 adopted approving the Placer County Purchasing Policy Manual for Redevelopment Agency procurement activities and authorizing the County Procurement Manager to sign contracts as appropriate. MOTION Holmes/Gaines/Unanimous

Michael Murphy, Libertarian Party, spoke in opposition of the County being involved in redevelopment, especially when it involves eminent domain.

31

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

15. REVENUE SHARING:

- a. Approved appropriation of \$150 in Revenue Sharing monies to the Oakmont High School for the 2006 Sober Grad Night, as requested by Supervisor Santucci.
MOTION Weygandt/Gaines VOTE 4:1 (Kranz No)
- b. Approved appropriation of \$2,700 in Revenue Sharing monies to the Lazarus Project for the 6th Annual St. Patrick's Day Dinner fundraiser event, as requested by Supervisors Santucci (\$200), Weygandt (\$250), Holmes (\$250) and Gaines (\$2,000).
MOTION Weygandt/Gaines VOTE 4:1 (Kranz No)

Michael Murphy, Libertarian Party, spoke in opposition to the Supervisors using taxpayer's money for their own causes.

Michael Murphy, Libertarian Party, disapproved of the Lazarus Project and said it had not helped very many people compared to the funding it receives. Supervisor Gaines expressed support of using revenue sharing money to help the homeless.

PLANNING BUSHNELL NURSERY REZONING AND APPEAL OF MINOR USE PERMIT (PREAT20040129) MITIGATED NEGATIVE DECLARATION – Public hearing to consider an appeal from Dave Bushnell of specific conditions of approval for a Minor Use Permit for a retail nursery, including retail sales, and an accessory landscape installation business. The Board will also consider a rezoning request from RS-B-20 (Single Family Residential, Building Site size 20,000 square feet) to F-Dc-B20 (Farm, Building size 20,000 square feet, Design Corridor), for the 15.7 acre project site. The property (APN 048-081-035, 048-081-054, 048-081-055, and 048-081-058) is located at 5255 Douglas Boulevard, approximately 1.5 miles east of Sierra College Boulevard, and is currently zoned RS-B-20 (Single Family Residential, Building Site size 20,000 square feet). (Continued from 2-7-06)
Public hearing closed. Approved the appeal of Dave Bushnell, removed Conditions 6, 8, 9, 10 and 14 of the Minor Use Permit and approved the findings certifying the Mitigated Negative Declaration. Ordinance 5400-B adopted approving the rezoning.
MOTION Gaines/Weygandt/Unanimous

Tom Thompson, Planning Department, presented a PowerPoint. He discussed the 40-year history of the uses on the property, past zoning code violations and the submission of a rezone request to bring existing land uses into compliance with the Zoning Code. He said the Planning Commission discussed Condition 6, improvement plans for the sidewalk and driveways; Condition 8, construction of commercial driveways to the property; Condition 9, construction of concrete curb, gutter and sidewalk; Condition 10, dedication of an easement for Douglas Boulevard; and Condition 14, payment of traffic fees. The Planning Commission unanimously approved the Minor Use Permit (subject to the rezone), recommended the Rezone, and to eliminate Conditions 6, 8, 9, 10, and 14. Staff adjusted the conditions for the applicant and recommended approval of the Rezone with Conditions 6, 8, 9, 10, and 14. The Rezone would not change the density and retail nurseries are not allowed in the current zone district.

Supervisor Holmes asked what the difference was between the original use of the land and a retail nursery. Tom Thompson said tree and crop production is allowed in the Agriculture Zone, but when you import material it becomes a retail nursery. This nursery has gone well beyond the allowed uses.

Supervisor Weygandt commented that the rezone would bring the landscape business into compliance and the only opposition raised was by the applicant regarding certain conditions. Wes Zicker, Community Development Resource Agency (CDRA), discussed the conditions and said they would bring the project into compliance with the community plan. In 1990, the County did most of the grading required for a future sidewalk and acquired right-of-way from the Bushnells for \$51,000. He said staff compromised with the applicant on the conditions by reducing fees and width of the sidewalk.

Supervisor Holmes questioned the need for a sidewalk in this area. Supervisor Gaines questioned the amount of land dedication being imposed in the conditions. Chairman Santucci questioned the potential additional right of way impacts on the business. Wes Zicker explained additional right of way would not be needed to construct the sidewalk and estimated the applicant's cost to construct the improvements would be around \$75,000.

Tom Parillo, Land Use Planning Consultant, explained the subject property has been and is still, used for agriculture. The nature of the business is wholesale and retail plant production and qualifies under the Food and Agriculture Code as Agriculture. He said the business has been around for 40 years and he did not think new conditions should be imposed at this time. The conditions could be imposed in the future when the property is rezoned to residential or commercial.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

Dave Bushnell, applicant, thanked the Board and staff for their time and effort. He explained that he leases the front two parcels that would be impacted by the conditions. These parcels are in a trust owned by Robert and Liz Bushnell. After researching private industry, he estimated the costs to comply with the conditions to be between \$250,000 to \$300,000. He explained the costs and time involved with the environmental review. Future plans include moving the main office onto the property, hooking up the six residences and new public restroom to the County sewer system and landscaping the granite hillside next to Douglas Boulevard to make it more attractive. He stated most of what is sold at the nursery is agriculturally produced on site.

Three people spoke in favor of the Bushnell Nursery. Phil Johnson, Eureka Schools Foundation, expressed gratitude for the donation of trees for Ronald Feist Park; Nick Greco, Local Farmer, explained how Bushnell Nursery helps support agriculture in the area; and Michael Murphy, Libertarian Party, opposed placing new taxes on an existing business.

The following item was moved for discussion:

7. COUNTY EXECUTIVE/FORESTHILL FORUM ADVISORY COUNCIL – Declared Seats #1, #3 and #7 vacant and directed the Clerk of the Board to post vacancies.
MOTION Kranz/Gaines/Unanimous

Sharon Page, Foresthill Forum, protested her removal from the Forum after being a member for eight years. She said there had not been clear communication between the Forum and Supervisor Kranz. She questioned her removal from the Forum and if it was appropriate for a Planning Commissioner to be involved in the meetings and is able to change the minutes of the meeting. Chairman Santucci said she should receive answers to policy questions after the meeting.

Foresthill residents Sherry Wicks, John Worton, Harry Sugar, Thomas Colliver, Kate Eddy, and Bill Minor, spoke in opposition to the removal of the Council members. The main points discussed: Forum members conducted themselves appropriately at the meetings; Forum members are upstanding citizens of the community; the Planning Commissioner behaved inappropriately when trying to change the Forum's meeting minutes; there is a communication problem between the Forum and Planning Department; Foresthill is facing its most critical years of change and needs to have strong individuals who have different opinions and can speak their minds on the Forum; the Supervisor and the Forum are doing a good job and it is unfortunate they are at this impasse; suggested eliminating the Forum if they are not allowed to speak their minds; requested the Board delay their decision for 30 to 90 days to give them time to work out the problems; Foresthill is a close knit community that is being split apart, and the council is diverse and competent.

Cynthia Wardleigh, a member of the Foresthill Forum Advisory Council, said the Forum is divided and she has seen prejudice at the meeting. She supported Supervisor Kranz's decision.

Dan Dove, Chairman for Weimar/Applegate/Colfax Municipal Advisory Council, said serving on any advisory council is challenging and it is important that the chairman maintain decorum and proper flow. He said they have had communication difficulties with the Planning Department but it does not disrupt the meeting process. He supported removal of council members if the supervisor could not respect advise because of their actions.

Mike Boyle, Assistant County Executive, explained advisory boards are designed to assist and inform the Board of Supervisors on matters of community interest. The advisory boards serve on behalf of the Board of Supervisors and are at-will political appointees. When the County Executive Office or District Supervisor loses confidence in the ability of an advisory board to conduct business on behalf of the Board of Supervisors, the members can be vacated from their positions. The County Executive Office is requesting these seats be declared vacant.

Supervisor Weygandt said that the supervisors should have the ability to appoint to the commissions and staff should make Board policy clear as it relates to the information being disseminated at advisory meetings. Supervisor Gaines commented this authority falls to the supervisor of the district. Chairman Santucci agreed with these comments and directed staff to answer the comments and concerns received and to give clarification to the advisory councils.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

CHILD SUPPORT SERVICES – Update presented by Pamela McManis regarding implementation of the California Department of Child Support Services Statewide Disbursement Unit (centralized child support payment processing).

Pamela McManis, Child Support Services, explained Federal regulation mandates a central collection and distribution unit. Twenty-four counties have already changed their payment processing procedures. The Auditor's Office and Child Support Services have taken precautions to mitigate changes that may generate confusion for constituents. She advised changes would occur on March 1, 2006. Thomas Miller, County Executive Officer, said that centralization will help mitigate the State's reduction in staff.

Michael Murphy, Libertarian Party, asked if there would be any fiscal impact. Pamela McManis replied the State has not advised of any fiscal impacts.

COUNTY EXECUTIVE/MIDDLE FORK AMERICAN RIVER HYDROELECTRIC PROJECT – Amended Contract #12086 with Advanced Energy Strategies, Inc., in the amount of \$150,000, for a total amount of \$250,000, for consulting services related to the Federal Energy Regulatory Commission re-licensing of the project, and approved the corresponding budget revision.
MOTION Holmes/Weygandt/Unanimous

Holly Heinzen, Assistant County Executive, stated energy economics is a highly specialized area. She said Dr. Dean Tibbs, President of Advanced Energy Strategies, has completed an onsite inspection of the Middle Fork Project and potential for costs. He has also developed scenarios of loss and recovery of physical assets. He will continue to act as an independent consultant as the County proceeds to evaluate the various types of financing to fund re-licensing of the project.

Chairman Santucci asked about the costs for the consultant. Holly Heinzen stated the County anticipates being reimbursed this spring for costs associated with the due diligence work and ultimately paid through the proceeds from the Middle Fork Project. Re-licensing will cost between \$35 million and \$55 million, and will include various mitigations, studies, environmental reviews, preparatory work, reserves, and short term operating costs. Supervisor Gaines questioned the amount of reviews on an ongoing facility. Ms. Heinzen said studies were not done when this project was initiated and there would be impacts from the dam and release of water.

Jenine Windeshausen, Treasurer-Tax Collector, explained these studies cover a large area, watershed, recreation, fish, and habitat. In addition to the environmental studies, there is a capital improvement component to do upgrades and improvements to the systems. This contract is for the consultant to support the re-licensing effort.

Supervisor Kranz discussed potential financial impacts. He said he was involved with the Oroville re-licensing project. His concern is there could be a large amount of mitigation if not managed properly. When there is that much money in the background, everyone will be going after it.

Anthony La Bouff, County Counsel, explained this is an ongoing facility with a limited license period that is coming to an end. Requirements were different when the project was built. Placer County Water Agency (PCWA) has been monitoring several other utilities going through this same process. The Federal Government mandates mediation prior to licensing.

Michael Murphy, Libertarian Party, recommended lowering spending on other items to absorb some of the costs this project will bring.

Jenine Windeshausen said the costs estimated by the consultant are fair and well founded. Staff will bring updated costs and financing options to the Board in March 2006.

FACILITY SERVICES/NORTH FORK AMERICAN RIVER TRAIL CIVIL ENGINEERING SERVICES, PROJECT #4753 - Approved agreement with CH2M Hill, Inc., in an amount not to exceed \$105,000, to provide civil engineering services for the project. MOTION Holmes/Gaines/Unanimous

Albert Richie, Facility Services, explained this project would build a stand-alone trail along the North Fork of the American River. The engineering services in this agreement would be for the parking lots and staging areas. Thirty percent of this contract would support the Environmental Impact Report (EIR) and the balance would be for the design and engineering work should the trail proceed through construction at a later date. CH2M Hill Inc., was selected through a Request For Proposals (RFP) process.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

Supervisor Kranz received clarification from Albert Richie that most of the land for this project is Bureau of Reclamation land. Mr. Richie said they are still negotiating with a few private property owners and an alternative route would be chosen if an easement could not be attained.

Michael Murphy, Libertarian Party, asked why the County was funding this State mandated project. Albert Richie said the trail, as proposed, would be on property primarily managed by the State; however, it would benefit the public. Thomas Miller, County Executive Officer, added the County received a State Park Grant in the amount of \$1.5 million and some County park dedication fees were used to fund the project. Mr. Murphy was against any County funds being used for this project.

Supervisor Gaines asked if the proposed trail route would be above the potential Auburn Dam water level. Albert Richie replied it would be above the high water mark of the proposed dam.

HEALTH & HUMAN SERVICES/ADMINISTRATION/ASSEMBLY BILL 1859 (LESLIE) – Authorized the Chairman to sign a letter of support to extend sunset of Placer's integrated and comprehensive County Health and Human Services System for five years.

MOTION Kranz/Holmes/Unanimous

Dr. Richard Burton, Director of Health and Human Services, said extension of the sunset allows the department to work with the State, waiving regulation where necessary or to improve outcomes, reduce administrative burden and provide for integrated services. This has allowed consolidation of 16 public health programs into one contract with quarterly invoicing and other pilot programs.

PUBLIC WORKS/DRY CREEK WEST PLACER COMMUNITY PLAN - Resolution 2006-42 adopted approving Professional Services Agreement #73230 with URS Corporation, in the amount of \$256,722, for the preparation of the Transportation Element Update and supporting Environmental Impact Report for the plan. MOTION Holmes/Gaines/Unanimous

Rick Dondro, Public Works, said this plan was adopted in 1990 and the major issue at that time was traffic. The Plan directed that PFE Road be closed just west of Cook-Riolo Road when the average daily traffic (ADT) volume surpassed 5,000 vehicles per day. The current ADT is 5,970. There have been community meetings and opinions vary. He acknowledged this being a large amount of money for a consultant but the URS Corporation is familiar with County processes and there will be many night meetings and community outreach. This process should take over one year to complete.

Supervisor Kranz asked about the selection process for this contract. Rick Dondro replied proposals were solicited from various firms pre-qualified through the Procurement process. Cost was not a primary factor. Supervisor Kranz said he would like to see competitive bidding done for this process. Anthony La Bouff, County Counsel, agreed but explained State statute precludes looking at costs for these types of services. In the final stages, one of the main qualities is their availability to perform the required tasks. Supervisor Kranz said he would like to see more details in the staff reports regarding the competitive bids and their costs. Thomas Miller, County Executive Officer, agreed to implement this request throughout the departments.

PUBLIC WORKS/TAHOE HEIGHTS DRIVE EMERGENCY PROJECT – (1) Found that the stabilization of Tahoe Park Heights Drive and reestablishing a proper drainage course to prevent further erosion below Tahoe Park Heights Drive is critical to provide continued safe access to the Talmont Subdivision on the west shore of Lake Tahoe and due to life/safety issues, should not be delayed by a formal competitive solicitation for bids; (2) Resolution 2006-43 adopted authorizing staff to proceed with an emergency procurement of a general engineering contractor, and (3) authorized the Public Works Director to execute the resultant contract, in the amount not to exceed \$100,000.

MOTION Holmes/Gaines/Unanimous VOTE 4:0 (Santucci temporarily absent)

Ken Grehm, Director of Public Works, presented a PowerPoint depicting the severity of erosion after the December 31, 2005 storm, possibly endangering the integrity of Tahoe Park Heights Drive. He said immediate action is required to address the situation before spring run off. This will be a competitive quote process with a minimum of three contractors. The Road Fund would be used to cover this cost and staff will seek reimbursement from potential disaster relief funding as it becomes available. Mr. Grehm explained to Supervisor Kranz that Lahontan and the Tahoe Regional Planning Agency (TRPA) are working with Placer County to expedite the repair.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

SHERIFF/DEPARTMENT REORGANIZATION - Ordinance introduced, first reading waived, amending Chapter 3, Section 3.12.010, Appendix 1, increasing the allocations in Sheriff's Department and County Personnel. MOTION Holmes/Kranz/Unanimous

Barbara Besana, Sheriff Department, explained the positions requested: one Senior Administrative Clerk for County Personnel to be dedicated to Sheriff's Department recruitments and support, one Administrative Technician to Sheriff's Personnel Unit and one Staff Services Analysis. These increases will help the department maximize recruitment and retention efforts, relieve backlogs and provide relief to monitor and administer recruitment efforts.

Michael Murphy, Libertarian Party, received clarification from Barbara Besana about the potential fiscal impacts for these added positions. Thomas Miller, County Executive Officer, explained that long-term costs have been planned.

SHERIFF/GRANT APPLICATION - Approved the application for the Justice Assistance Grant, in the amount of \$15,938, for the reduction of alcohol and drug-related fatal and injury traffic collisions in Placer County and the City of Roseville and approved the Memorandum of Understanding with the City of Roseville required to implement the grant. MOTION Weygandt/Gaines/Unanimous

Barbara Besana, Sheriff Department, explained the money would be used for enhanced Driving Under the Influence (DUI) checks and accountability.

COUNTY COUNSEL/CLOSED SESSION REPORT:

(A) §54956.9 - CONFERENCE WITH LEGAL COUNSEL

(1) Existing Litigation:

- (a) *Sierra Watch, a nonprofit public benefit corp., et al vs. Placer County, et al, Placer County Superior Court Case No.: SCV-16652, (Maris Valley) – The Board received a report on the general plan mitigation regarding Sierra Watch et al.*
- (b) *Steven G. Dunmore v. County of Placer, Valerie Harris, Sheriff's Lieutenant; Valerie Harris, an individual, James (Jim) Hudson, Detective; James (Jim) Hudson, an individual; Edward N. Bonner, Sheriff; Stephen L. D'Arcy, Undersheriff; Does 1-10, U.S. D.C. Court Case No. 2:05-CV-1806 LKK DAD PS – The Board received a request for additional defense for Lieutenant John Evans. The Board authorized the County Counsel Office to provide that defense with the standard reservations.*
- (c) *Michael Baldwin, an individual vs. Placer County, Placer County Sheriff's Department, Officer Tracy Grant, Officer Ron Goodpaster, Officer Kevin Besana, Officer Brian Wiggam, Officer Jeff Potter, Officer Reed, Officer Stephen D'Arcy, and Does 1 to 50, U.S.D.C. Court Case No.: CIV S-01-1177 MCE, Court of Appeals Case # 04-15848 – The Board extended the contract for outside Counsel, David Mastagna for the defense of one of the named employees.*

- (B) §54957.6 - CONFERENCE WITH LABOR NEGOTIATOR - *The Board took up Labor Negotiations with its negotiators dealing with both PPEO and DSA matters.*
Agency negotiator: CEO/Personnel Director
Employee organization: PPEO/DSA

COUNTY EXECUTIVE/BUDGET – Presentation of midyear budget review for FY 2005/06.

Therese Leonard, County Executive Office, presented a PowerPoint that covered the status of the current budget and planning for next year's budget.

Therese Leonard discussed some important budget impacts:

- Staff is proposing to issue debt for approximately \$22 million when the courthouse is constructed in South Placer County;
- State decisions have negatively impacted Placer County by more than \$45 million over the past five years;
- \$1.6 million of Proposition 42 transportation funds will start to be paid back to the County in next year's budget, from Fiscal Year 2004/05;
- Cost drivers (employee costs, PERS, benefits and insurance) unfunded liability for OPED (Other Post Employment Benefits) is over \$300 million. Supervisor Gaines discussed different possibilities to reduce the obligation;
- New facilities. These are planned for and previously funded capital projects. Primary funding sources were either one-time or restricted funding;
- Labor negotiations are planned for 2006;
- New department funding and new position requests total \$25.89 million for Fiscal Year 2006/07;
- New revenue for Fiscal Year 2006/07 estimated at \$18.56 million.

PLACER COUNTY BOARD OF SUPERVISORS MINUTES

Therese Leonard stated the Placer County position allocations per 100 County population has stabilized in the past three years after a six year decline. She said in that time period land has been annexed into the cities. Thomas Miller, County Executive Officer, noted that 85% of the services provided by the County are the same services given to city residents. Supervisor Kranz requested a graph showing position allocations that separate out the services that are provided countywide and those that are only provided outside of city limits. He said Placer County's population is rising and specific program areas will require resource investments to meet customer needs. The dynamics of our growing workforce will be changing because over 40% of our workforce is over the age of 50.

Therese Leonard listed challenges for 2006-2007 and beyond:

- State Budget actions
- Cost driver increases (try to control those that we can)
- Planning for future facility needs and the County's ability to pay
- Implement fair and cost effective labor agreements
- Work with County departments to maintain appropriate levels of service

Therese Leonard discussed upcoming events:

- Strategic Planning Session, March 28, 2006
- Proposed Budget, June 2006
- Board Workshops, August 2006
- Final Budget, September 2006

Thomas Miller advised the County Executive Office met with the departments prior to this mid-year review to ascertain direction and programs. Prior to the March 28, 2006 Workshop, staff will meet with Board members to better understand the desired direction.

Supervisor Weygandt asked for a comparison of other Counties performance with Governmental Accounting Standards Board (GASB) 45 requirements. Therese Leonard replied the California State Association of Counties (CSAC) survey portrayed each county having a unique plan. Counties within the California Public Employees' Retirement System (CalPERS) had more requirements and were less able to be flexible with their plan. Placer County has been more proactive than most counties. Supervisor Weygand requested information about impacts to the County when cities increase in population.

Michael Murphy, Libertarian Party, asked about the impacts to taxpayers with the potential shortfalls discussed. Chairman Santucci explained the department's requests are historically more than what is actually given at the Budget Hearings. Thomas Miller said this information is the result of preliminary meetings with the departments. The County Executive Office will be bringing to the Board a balanced budget. This Board does not have the authority to raise general taxes to meet operating costs.

Supervisor Kranz requested a clear breakdown of what Placer County is obligated to spend for Health and Human Services and what is actually spent.

ITEMS FOR INFORMATION:

AUDITOR/CONTROLLER - Statement of Condition of Cash in the Treasury, for the month ending January 31, 2006.

SHERIFF - Inmate Welfare Fund Annual Reports for FY 2003/04 and FY 2004/05.

TREASURER/TAX COLLECTOR - Treasurer's statement for the month of January 2006.

ADJOURNMENT - There being no further business, the Board adjourned. Next regular meeting is Tuesday, March 7, 2006.

ATTEST:

Ann Holman
Clerk of the Board

Bill Santucci, Chairman
Placer County Board of Supervisors

Melinda Harrell
Senior Board Clerk

DATE February 21, 2006

PAGE 39

31

